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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
JASON ENTRIKIN,  
Defendant.

CASE NO: 2:16-cr-306-APG-PAL

**UNOPPOSED MOTION TO CONDUCT A  
PRE-PLEA PRESENTENCE  
INVESTIGATION REPORT AND  
PROPOSED ORDER**

COMES NOW, JASON ENTRIKIN, by and through his attorney of record, LUCAS J. GAFFNEY, ESQ., of the law firm ORONOS, ERICSSON & GAFFNEY LLC, and hereby moves this Honorable Court to order the United States Department of Parole & Probation to conduct a pre-plea presentence investigation report of JASON ENTRIKIN as soon as possible.

This request is based upon the pleadings and papers on file herein, the attached Memorandum of Points and Authorities, and any oral argument the Court may entertain.

Dated this 28<sup>th</sup> day of December, 2016.

Oronoz, Ericsson & Gaffney, LLC

/s/ Lucas Gaffney  
LUCAS J. GAFFNEY, ESQ.  
Nevada Bar No. 12373  
1050 Indigo Drive, Suite 120  
Las Vegas, NV 89145  
*Attorney for Jason Entrikin*

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. STATEMENT OF FACTS**

On November 1, 2016, a federal grand jury returned an Indictment charging the Defendant, Jason Michael Entrikin, with one count of possession of a firearm by a convicted felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

**II. LEGAL ARGUMENT**

A presentence investigation may be initiated prior to entry of a guilty plea or nolo contendere or prior to the establishment of guilt. *See generally* Fed. R. Crim. P. 32.

Counsel requires a pre-plea presentence investigation report to determine whether Mr. Entrikin is potentially eligible for Career Offender or Armed Career Criminal.

Counsel understands that Mr. Entrikin has prior felony convictions, however, counsel cannot accurately calculate whether Mr. Entrikin qualifies as a Career Offender or for the Armed Career Criminal (“ACCA”) sentencing enhancement without the information that would be provided in the Pre-Plea PSR. Mr. Entrikin’s eligibility for Career Offender and the ACCA will drastically impact his sentencing exposure, potential negotiations, and his decision as to how he should proceed in this matter. In addition, the timing of Mr. Entrikin’s prior convictions could impact his sentencing guideline range and criminal history score. A pre-plea presentence investigation report will promote judicial economy and could greatly expedite the manner in which this case is resolved. Furthermore, Mr. Entrikin consents to the pre-plea presentence investigation.

Counsel has spoken to the Government and they do not oppose the instant motion.

Therefore, undersigned counsel respectfully requests this Court issue an Order directing the United States Department of Parole & Probation to conduct a pre-plea presentence investigation report of Mr. Entrikin as soon as possible.

1     **III. CONCLUSION**

2             Based on the foregoing, Defendant asks this Court to grant his Motion to Conduct a  
3     Pre-Plea Presentence Investigation Report. Defendant further requests this Court order the  
4     United States Department of Parole & Probation to conduct a pre-plea presentence  
5     investigation report of Mr. Entrikin as soon as possible.  
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7     Dated this 28<sup>th</sup> day of December, 2016.

Oronoz, Ericsson & Gaffney, LLC

8             /s/ Lucas Gaffney

9             LUCAS J. GAFFNEY, ESQ.

10            Nevada Bar No. 12373

11            1050 Indigo Drive, Suite 120

12            Las Vegas, NV 89145

13            Attorney for Jason Entrikin  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that I am an employee of Oronoz, Ericsson & Gaffney, LLC, and that I am a person of such age and discretion so as to be competent to serve papers.

That on December 28, 2016, I served an electronic copy of the above and foregoing UNOPPOSED MOTION TO CONDUCT A PRE-PLEA PRESENTENCE INVESTIGATION REPORT AND PROPOSED ORDER by electronic service (ECF) to the person(s) named below:

DANIEL G. BOGDEN  
United States Attorney  
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*Counsel for United States*

BRANDON JAROCH  
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*Counsel for United States*

/s/ Lucas Gaffney  
Employee of Oronoz, Ericsson & Gaffney, LLC